(Sri H. K. VEERANNA GOWDH)

Nalla near Bannikop are already sanctioned and work is practically completed. Plans and estimates for constructing a bridge across Bagewadi nalla are under preparation.

(*d*) Yes.

(*e*) Yes, work will be taken up on priority basis according to availability of funds.

MYSORE TENANCY LAWS (SECOND AMENDMENT) BILL, 1961

Motion to consider

Sri KADIDAL MANJAPPA (Minister for Revenue).— Sir, I beg to move:

"That the Mysore Tenancy Laws (Second Amendment) Bill, 1961, be taken into consideration."

Mr. DEPUTY SPEAKER.—Motion moved.

"That the Mysore Tenancy Laws (Second Amendment) Bill, 1961, be taken into consideration."

†Sri KADIDAL MANJAPPA.—Sir, this is a very simple measure. It seeks to extend the life of the four enactments referred to in the annexure. These four enactments conferred upon the tenants certain protection against eviction and they continue the existing leases pending enactment of a uniform law on the subject. These four enactments were passed by the Legislature. The Land Reform Bill has been passed by the Legislature and we are sending it for the assent of the President shortly.

An HON'BLE MEMBER.—When, Sir ?

Sri KADIDAL MANJAPPA.—Immediately. In the meanwhile, the life of these four enactments are due to expire at the end of December. I do not know whether the President's assent will be received by the end of December. We are sending it and it has to be examined there and then the President's assent given. So far as we are concerned, we will take necessary steps to despatch the Bill very early. I suppose it will be sent within one or two days. In the meanwhile there is need for continuing the protection enjoyed by the tenants.

Sri G. VENKATAI GOWDA (Palaiyam).—Do you require six months' time ?

Sri KADIDAL MANJAPPA.—Yes, till the end of June. If in the meanwhile, the Land Reform Bill becomes law, this automatically stands repealed. Therefore, I commend this measure. There is not much contraversy about the measure.

10-00 A.M.

†Sri V.SRINIVASA SHETTY (Coondapur).—Sir,we are not opposed to this Bill, but the point is that the Government seems to be so short-sighted in bringing these simple measures repeatedly. This amendment is coming here for the umpteenth time. The Hon'ble Revenue Minister seems to be very optimistic about getting the assent of the President very shortly, say, within 6 months.

Sri KADIDAL MANJAPPA.—I will go myself and discuss with the concerned people.

Sri V. SRINIVASA SHETTY.—There is not only the President; there is the all powerful Planning Commission behind the President. In spite of the Revenue Minister going to Delhi, things will move slowly. all these Acts are practically dead letters. What benefits they have conferred on the agriculturists I am unable to say. There may be stray cases where people might have got some benefit from these Acts. Why should we come in the way of those people ? So, we agree to these amendments, but we hope that at least by June 1962 the Hon'ble Revenue Minister or whoever may be his successor, would be able to get the assent of the President.

†Sri M. RAMAPPA (Harihar).—Sir, I want to know from the Hon'ble Minister why he wants to extend this Act till 30th June 1962, because as per the Election Commission's latest recommendation the next Assembly will have to be convened in the month of March. If we permit these laws to be continued till 30th June, it will not be open to the next Assembly to question the Government as to why they have not brought the Land Reforms Act into force. I want an opportunity to be given to the next Assembly to question the Government as to what they have done by that time. We are glad that the Legislative Council has not accepted any amendments and we also fondly hope that the Government especially the Hon'ble the Revenue Minister, will take it personally to Delhi and see that we get the assent of the President in spite of the pressure that may be brought through the Planning Commission by interested parties. I want the Hon'ble Minister to make all attempts to bring this measure again in the month of March if there is need and convince the next Assembly what attempts he has made to bring that Act into force. If by that time it is not possible to bringing it into force it may be necessary to frame certain rules–then again the life of these laws may be extended. So, I agree to the extention of its life only upto 30th March and not till 30th June.

†Sri M. C. NARASIMHAN (Kolar Gold Fields).—Sir, I have to slightly differ from my friend Sri Ramappa. I do not see any reason why the other Assembly should be given an opportunity. After all, we are as good as bad as the other one. I am unable to understand the Statement of Objects and Reasons. We shall not dispute the *bona fides* of the Revenue Minister, but there may be so many obstacles like

(Sri M. C. NARASIMHAN)

writ petitions, memorial to the President, etc. This is an important measure which affects a large number of landholders and you can expect all these processes to take place. When that is the position, it is necessary not merely to have the protection of the temporary provisions of this Bill upto 30th June but till such time as the other Act comes into force.

Sri G. VENKATAI GOWDA.—It is not constitutional, definiteness will not be there.

Sri M. C. NARASIMHAN.—There are so many provisions in the Tenancy Act. For example, prohibition of leases, etc. There may be certain amount of conflict between this Act and the other one. After all, the rights conferred on the tenants under the old Tenancy Act are slightly different from those conferred by the Land Reforms Bill. Then why not accept sri Ramappa's position ?

Sri KADIDAL MANJAPPA.—These enactments are mentioned in the schedule of the Land Reforms Bill. This Act will stand repealed as soon as the Land Reforms Bill comes into force.

†ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ (ಗುಬ್ಬಿ).— ಸ್ವಾಮಿ, ಈ ಚೆನೆನ್ನಿ ಬಿಲ್ಲಿನಲ್ಲಿರುವ Statement of objects and Reasons ನಲ್ಲಿ ಹೀಗೆ ಹೇಳಿದ್ದಾರೆ.

> "The duration of tenancies of agricultural lands under the tenancy laws in force in the State of Mysore is due to expire on 31st December 1961. As the Mysore Land Reforms Bill, 1961, which provides for the repeal of these laws is not likely to come into force before that date; it is necessary to provide for the continuance of the *status quo* until the Land Reforms Act is brought into force. Hence this Bill."

ಇದರಲ್ಲಿ ನೀವು ಹೇಳುವುದು 31ನೇ ಡಿಸೆಂಬರೊಳಗೆ ಲ್ಯಾಂಡ್ ರಿಫಾರಂ ಬಿಲ್ಲು ಬರುವುದಿಲ್ಲ. ಅದಕ್ಕಾಗಿ ಈ ಬಿಲ್ಲನ್ನು ಪಾಸುಮಾಡಬೇಕೆಂದು ಇಲ್ಲಿ ತಂದಿದ್ದಾರೆ. ಈ ನುಧಾರಣೆ ಯಾವತ್ತು ಬರುತ್ತದೆ ಎಂದು ಏನಾದರೂ ಹೇಳಿದ್ದೀರಾ ? ಇದನ್ನು ಒಪ್ಪಿಕೊಳ್ಳುವ ಮುನ್ನ ಸರಕಾರ ಈ ಬಿಲ್ಲಿನ ಪರಿಣಾಮವನ್ನು ಸಂಪೂರ್ಣವಾಗಿ ಅರ್ಥ ಮಾಡಿಕೊಂಡು, ಎಲ್ಲವನ್ನೂ ವಿಚಾರಮಾಡಿ ಕೊಂಡು ಬಂದು, ಇದರ ಸ್ವರೂಪವೇನು ಎನ್ನುವುದನ್ನು ತಿಳಿಸಿದರೆ ನಿಮಗೂ ಗೊತ್ತಾಗುತ್ತಿತ್ತು. ಇಂತಹ ಒಂದು ಅನಿಶ್ಚಿತ ಪರಿಸ್ಥಿತಿ ಇದರಲ್ಲಿ ಉಂಟುಮಾಡಬಾರದು. ನಾನು ತಮ್ಮನ್ನು ಇಷ್ಟೇಕೇಳುವುದು ? ಈ ಲ್ಯಾಂಡ್ ರಿಫಾರಂ ಬಿಲ್ಲು ಯಾವತ್ತಿನಿಂದ ಜಾರಿಗೆ ಬರುತ್ತದೆ ಎನ್ನುವುದನ್ನು ನಿರ್ದಿಷ್ಟವಾಗಿ ಹೇಳಿಬಿಡಿ. ಲೇಜಿಸ್ಲೇಟೀವ್ ಕೌನ್ಸಿಲ್ಲಿನಲ್ಲಿ ಎಷ್ಟೊ ಅಮೆಂಡುಮೆಂಟುಗಳು ಬಂದಿದ್ದರೂ ಒಂದನ್ನು ಒಪ್ಪದೆ, ಪಾಸ್‌ಮಾಡಿಕೊಂಡು ತೆಗೆದು ಕೊಂಡುಬಂದು ಈಗ ತಾವು ಪ್ರೆಸಿಡೆಂಟರವರ ಅನ್ಸೆಂಟನ್ನು ಪಡೆಯುವುದಕ್ಕಾಗಿ ದೆಹಲಿಗೆ ಹೋಗಿ ಅತಿ ಶೀಘ್ರದಲ್ಲಿ ಎಂದರೆ, 1961 ನೇ ಮಾರ್ಚ್ 13 ರೊಳಗಾಗಿ, ನಮ್ಮ ಕಾಲದಲ್ಲೇ ಎಂದರೇ ಶ್ರೀ ಮಾನ್ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪನವರು ಜತ್ತಿ ಮಂತ್ರಿಮಂಡಲದಲ್ಲಿರುವಾಗಲೇ ಜಾರಿಗೆ ತರಬೇಕೆಂದಿರುವಾಗ ಅದರಂತೆ ಇದರಲ್ಲೇಕೆ ಸೇರಿಸಬಾರದು ? ಆದುದರಿಂದ ಈ ಬಿಲ್ಲನ್ನು ಯಾವತ್ತಿನವರೆಗೆ ಇರಬೇಕು ಎನ್ನುವುದನ್ನು ಈ ಬಿಲ್ಲಿನಲ್ಲಿ ನಿರ್ದಿಷ್ಟವಾಗಿ ತಿಳಿಸಿಬಿಡಿ. ನಾವೇನು

ಇದನ್ನು ವಿರೋಧಿಸುವುದಿಲ್ಲ. ಶೀಘ್ರತೆಯಾದ ಒಂದು ನಿರ್ದಿಷ್ಟ ಅವಧಿಯನ್ನು ಇದರಲ್ಲಿ ತಿಳಿಸಬೇಕು ಎಂದು ನಾನು ತಮ್ಮನ್ನು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

†Sri KADIDAL MANJAPPA.— Mr. Speaker, if I had the power to bring the law into force, I could have done it immediately. As Hon'ble Members know, there are certain constitutional formalities to be complied with. The Bill has to be sent to the President and he has to consider it and give his assent to the Bill. There after rules have to be framed and then the Government will have to notify an 'appointed day'. From that date onwards the Bill becomes law. So far as we are concerned, we are anxious that the Bill should become law before we lay down office in the month of March I will make every effort so far as I am concerned.

So far as I am concerned we can request the concerned authorities to expedite securing of President's assent. That is all we can do.

With regard to the remark of Hon'ble Member Sri V. Srinivasa Shetty that some of the enactments have become dead laws, I beg to differ from him. No doubt in a small percentage of cases the landlords have been able to evade these enactments but in a vast majority of case these enactments have been found to be very useful.

The Hon'ble Member Sri C. J. Muckannappa referred to the abolition of hereditary village officers Bill. The rules are framed and they are being published. Many of the Hon'ble Members seem to think that the existing set up can be changed immediately by a stroke of pen. They must understand that we must have some alternate staff to be ready; they should be trained. They should be appointed and thereafter they must take charge.

Sri C. J. MUCKANNAPPA.— In that case, where was the hurry to pass the Bill.

Sri KADIDAL MANJAPPA.— The Hon'ble Member must remember that this Bill was passed by the House at the instance of the majority of Members of the House and my Hon'ble friend Sri Muckannappa was also jubilant to pass that measure. The village officers themselves passed a resolution that their rights should be taken away. Added to that there was the Supreme Court's decision that hereditary was repugnant to the Constitution.

With these remarks I commend the Bill for the Consideration of the House.

Mr. DEPUTY SPEAKER.—The question is ;

"That the Mysore Tenancy Laws (Second Amendment) Bill, 1961, be taken into consideration."

The motion was adopted.

Mr. DEPUTY SPEAKER.— The question is :

"That Cluses 1 to 5, both inclusive, the Title and the Preamble stand part of the Bill."

The motion was adopted.

Clauses 1 to 5, the Title and the Preamble were added to the Bill.

Motion to pass.

Sri KADIDAL MANJAPPA.— I move :

"That the Mysore Tenancy Laws (Second Amendment) Bill, 1961 be passed."

Mr. DEPUTY SPEAKER.—The question is :

"That the Mysore Tenancy Laws (Second Amendment) Bill, 1961, be passed."

The motion was adopted.

MYSORE TENANCY (TEMPORARY PROTECTION FROM EVICTION) BILL, 1961.

Motion to consider.

Sri KADIDAL MANJAPPA.— I move :

"That the Mysore Tenancy (Temporary Protection from Eviction) Bill, 1961 be taken into consideration,"

Mr. DEPUTY SPEAKER.— Motion moved :

"That the Mysore Tenancy (Temporary Protection from Eviction) Bill, 1961 be taken into consideration."

†Sri KADIDAL MANJAPPA.— Mr. Speaker, this a simple measure which speeks to protect the tenants from being evicted at the hands of the landlords. This is meant to be in force till 31st of March and Government is empowered to extend its life for another year but not later than 31st day of March 1962. During the period this law is in force, no tenant can be evicted whether in execution of a decree or order of a Civil or Revenue Court. Similarly no receiver can be appointed so as to oust the tenant. Honourable Members of this House both in my party and in the other party, pressed me when the Land Reforms Bill was under discussion, that we should take steps to protect the tenants. The Bill has been introduced in accordance with the desire of the vast majority of the Honourable Members in this House. This is a useful measure, a temporary measure. This will be in force until the Land Reforms Bill becomes law. We hope that by the end of March, the Land Reforms Bill will become law. If it does not become law, it is quite possible to extend the life for a few months until the Land Reforms Bill becomes law. Under the existing tenancy laws that are in force, that are continued, it is quite possible for the landlords to evict the tenant by seeking the help of the tribunal or tenancy courts. Honourable Members know that tenants are generally poor and ignorant ; they will